

PATENT COOPERATION TREATY

BCC: K. Karel

From the INTERNATIONAL SEARCHING AUTHORITY

JAN 29 2003

PCT

To:
JESSICA M. SINNOTT
E. I. DU PONT DE NEMOURS AND COMPANY
LEGAL PATENT RECORDS CENTER
4417 LANCASTER PIKE
WILMINGTON, DE 19805

RECEIVED
PATENT RECORDS CENTER

NOTIFICATION OF TRANSMITTAL OF
THE INTERNATIONAL SEARCH REPORT
OR THE DECLARATION

(PCT Rule 44.1)

KK

JAN 27 2004

Date of Mailing
(day/month/year) **23 JAN 2004**

Applicant's or agent's file reference
SR0020PCT

☐ TO BE REVIEWED
BY ATTORNEY

FOR FURTHER ACTION See paragraphs 1 and 4 below

International application No.
PCT/US03/25023

International filing date
(day/month/year)
08 August 2003 (08.08.2003)

Applicant
E. I. DU PONT DE NEMOURS AND COMPANY

1. ☒ The applicant is hereby notified that the international search report has been established and is transmitted herewith.

Filing of amendments and statement under Article 19:

The applicant is entitled, if he so wishes, to amend the claims of the international application (see Rule 46):

When? The time limit for filing such amendments is normally two months from the date of transmittal of the international search report.

Where? Directly to the International Bureau of WIPO, 34, chemin des Colombettes
1211 Geneva 20, Switzerland, Facsimile No.: (41-22) 740.14.35

For more detailed instructions, see the notes on the accompanying sheet.

2. ☐ The applicant is hereby notified that no international search report will be established and that the declaration under Article 17(2)(a) to that effect is transmitted herewith.

3. ☐ With regard to the protest against payment of (an) additional fee(s) under Rule 40.2, the applicant is notified that:

☐ the protest together with the decision thereon has been transmitted to the International Bureau together with the applicant's request to forward the texts of both the protest and the decision thereon to the designated Offices.

☐ no decision has been made yet on the protest; the applicant will be notified as soon as a decision is made.

4. Reminders

Shortly after **18 months** from the priority date, the international application will be published by the International Bureau. If the applicant wishes to avoid or postpone publication, a notice of withdrawal of the international application, or of the priority claim, must reach the International Bureau as provided in Rules 90 bis.1 and 90 bis.3, respectively, before the completion of the technical preparations for international publication.

Within **19 months** from the priority date, but only in respect of some designated Offices, a demand for international preliminary examination must be filed if the applicant wishes to postpone the entry into the national phase **until 30 months** from the priority date (in some Offices even later); otherwise the applicant must, **within 20 months** from the priority date, perform the prescribed acts for entry into the national phase before those designated Offices.

In respect of other designated Offices, the time limit of **30 months** (or later) will apply even if no demand is filed within 19 months.

See the Annex to Form PCT/IB/301 and, for details about the applicable time limits, Office by Office, see the *PCT Applicant's Guide*, Volume II, National Chapters and the WIPO Internet site.

Name and mailing address of the ISA/US
Mail Stop PCT, Attn: ISA/US
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450
Facsimile No. (703)305-3230

Authorized officer

David W. Wu

Telephone No. (703) 308-2351

David W. Wu
REY NOTED

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY (Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference SR0020PCT	FOR FURTHER ACTION		See Form PCT/IPEA/416																								
International application No. PCT/US03/25023	International filing date (<i>day/month/year</i>) 08 August 2003 (08.08.2003)	Priority date (<i>day/month/year</i>) 09 August 2002 (09.08.2002)																									
International Patent Classification (IPC) or national classification and IPC IPC(7): C08F 14/18; G03C 1/73 and US Cl.: 526/250; 430/270.1																											
Applicant E. I. DU PONT DE NEMOURS AND COMPANY																											
<p>1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of <u>3</u> sheets, including this cover sheet.</p> <p>3. This report is also accompanied by ANNEXES, comprising:</p> <p style="margin-left: 20px;">a. <input type="checkbox"/> (<i>sent to the applicant and to the International Bureau</i>) a total of <u> </u> sheets, as follows:</p> <p style="margin-left: 40px;"><input type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).</p> <p style="margin-left: 40px;"><input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.</p> <p style="margin-left: 20px;">b. <input type="checkbox"/> (<i>sent to the International Bureau only</i>) a total of (indicate type and number of electronic carrier(s)) <u> </u>, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).</p>																											
<p>4. This report contains indications relating to the following items:</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 10%; text-align: center;"><input checked="" type="checkbox"/></td> <td style="width: 20%;">Box No. I</td> <td>Basis of the report</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Box No. II</td> <td>Priority</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Box No. III</td> <td>Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Box No. IV</td> <td>Lack of unity of invention</td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td>Box No. V</td> <td>Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Box No. VI</td> <td>Certain documents cited</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Box No. VII</td> <td>Certain defects in the international application</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Box No. VIII</td> <td>Certain observations on the international application</td> </tr> </table>				<input checked="" type="checkbox"/>	Box No. I	Basis of the report	<input type="checkbox"/>	Box No. II	Priority	<input type="checkbox"/>	Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability	<input type="checkbox"/>	Box No. IV	Lack of unity of invention	<input checked="" type="checkbox"/>	Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement	<input type="checkbox"/>	Box No. VI	Certain documents cited	<input type="checkbox"/>	Box No. VII	Certain defects in the international application	<input type="checkbox"/>	Box No. VIII	Certain observations on the international application
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Date of submission of the demand 08 March 2004 (08.03.2004)		Date of completion of this report 25 August 2004 (25.08.2004)																									
Name and mailing address of the IPEA/ US Mail Stop PCT, Attn: IPEA/US Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450 Facsimile No. (703)305-3230		Authorized officer David W. Wu Telephone No. (703) 308-2351																									

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/US03/25023

Box No. I Basis of the report

1. With regard to the **language**, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.

- ☐ This report is based on translations from the original language into the following language _____, which is the language of a translation furnished for the purposes of:
- ☐ international search (under Rules 12.3 and 23.1(b))
 - ☐ publication of the international application (under Rule 12.4)
 - ☐ international preliminary examination (under Rules 55.2 and/or 55.3)

2. With regard to the **elements** of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:

- ☒ the international application as originally filed/furnished
- ☒ the description:
 - pages 1-17 as originally filed/furnished
 - pages* NONE received by this Authority on _____
 - pages* NONE received by this Authority on _____
- ☒ the claims:
 - pages 18-24 as originally filed/furnished
 - pages* NONE as amended (together with any statement) under Article 19
 - pages* NONE received by this Authority on _____
 - pages* NONE received by this Authority on _____
- ☐ the drawings:
 - pages NONE as originally filed/furnished
 - pages* _____ received by this Authority on _____
 - pages* _____ received by this Authority on _____
- ☐ a sequence listing and/or any related table(s) - see Supplemental Box Relating to Sequence Listing.

3. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages _____
- ☐ the claims, Nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to the sequence listing (*specify*): _____

4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

- ☐ the description; pages _____
- ☐ the claims, Nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to the sequence listing (*specify*): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.
PCT/US03/25023**Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement****1. Statement**

Novelty (N)	Claims <u>1-36</u>	YES
	Claims <u>NONE</u>	NO
Inventive Step (IS)	Claims <u>1-36</u>	YES
	Claims <u>NONE</u>	NO
Industrial Applicability (IA)	Claims <u>1-36</u>	YES
	Claims <u>NONE</u>	NO

2. Citations and Explanations (Rule 70.7)

Claims 1-36 meet the criteria set out in PCT Article 33(2)-(4), because the prior art does not teach or fairly suggest the subject matter of the present invention.

Claim 1 relates to a fluorinated copolymer comprising repeating units from at least one fluoroolefin and at least one polycyclic olefin having a formula of (I), Claim 15 relates to a photoresist composition comprising the fluorocopolymer of Claim 1 and a photoactive component, while Claim 34 relates to a substrate coated with a photoresist composition of Claim 15.

Regarding the limitation of parent Claim 1, Kobo et al. has disclosed a method for the production of a fluorine-containing copolymer comprising at least one fluoroolefin and at least one cyclic unsaturated compound represented by formulas (I) and (II). As pointed out by the Applicants, the formula (II) does not disclose or suggest the claimed cyclobutane structure because it contains an at least 5-membered ring with "1" factor being an integer of 3 or more (see abstract for "1" factor). Brasen only discloses the preparation of polyfluorotricyclic alkenes having the claimed substituents as well as its conversion to polyfluorobutadienes (column 1, line 15-34; column 2, line 21-70; column 9, line 19-28 and 46-54). However, Brasen does not teach or suggest the use for copolymerization or its use related to photoresist.

Regarding the limitation of Claims 5-36, Kobo/Brasen are further silent about using the claimed fluoroalcohol or protected fluoroalcohol groups as well as applying the copolymers in the area of photoresist. Although Allen et al. may teach all the limitations of Claims 5-36 in preparing the claimed fluoropolymers for such application. However, Allen cannot fix the deficiency of Kobo and/or Brasen.

In view of the high ring strain on cyclobutane being well known in the art, a polycyclic compound having a cyclobutane ring would behave quite differently from having an at least 5-membered ring.

The key issues regarding preparing a copolymer using a polycyclic olefin having a formula of (I) which specifically relating to a cyclobutane structure cannot be overcome by any or the combination of the above references, therefore, the present invention is novel.

In conclusion, it would not be obvious to a person skilled in the art to arrive at the claimed invention with knowledge from the cited documents. In accordance with the arguments above, the invention claimed in Claims 1-36 is novel; it is considered to involve an inventive step, and it is considered to have industrial applicability.